

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER BARK-1-24002		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO. PCT/GB2003/02124	INTERNATIONAL FILING DATE May 16, 2003	PRIORITY DATE CLAIMED May 16, 2002
TITLE OF INVENTION PARTICLE SEPARATION		
APPLICANT(S) FOR DO/EO/US Graeme Stewart SHORTIS		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☒ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ 4. The U.S. has been elected (Article 31).
- ☒ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- ☐ a. is attached hereto (required only if not communicated by the International Bureau).
- ☒ b. has been communicated by the International Bureau.
- ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)):
- ☐ is attached hereto.

- \_\_\_\_\_ has been previously submitted under 35 U.S.C. 154 (d)(4).
- X 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- X a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been communicated by the International Bureau.
- \_\_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- \_\_\_\_\_ d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- \_\_\_\_\_ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

- X 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- X 13. A preliminary amendment.
- \_\_\_\_\_ 14. An Application Data Sheet under 37 C.F.R. 1.76.
- \_\_\_\_\_ 15. A substitute specification.
- \_\_\_\_\_ 16. A power of attorney and/or change of address letter.
- \_\_\_\_\_ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 – 1.825.
- X 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X 20. Other items or information:
- a. November 7, 2003, correspondence to The International Bureau (9 pages).

- b. Copy of Int'l Application No. PCT/GB2003/002124, published November 27, 2003, with international search report, and amended claims and statement.

<u>X</u> 21. The following fees are submitted:.				<b>CALCULATIONS</b> PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b>					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,110					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .... \$950					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$790					
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$750					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$950	
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$--	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	42 - 20 =	22	X \$18	\$396	
Independent claims	6 - 3 =	3	X \$88	\$264	
MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$300	\$--	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1610	
<u>X</u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$805	
<b>SUBTOTAL =</b>				\$805	
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$--	
<b>TOTAL NATIONAL FEE =</b>				\$805	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$--	
<b>TOTAL FEES ENCLOSED =</b>				\$805	
				Amount to be: refunded	\$
				charged	\$

X a. A check in the amount of \$805 covering the above fees is enclosed. Check No. 159441.

- \_\_\_\_\_ b. Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- \_\_\_\_\_ c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Lee E. Johnson  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Lee E. Johnson  
Registration No. 22,946  
Direct Dial No. 206.695.1701  
E-Mail Address: lee@cojk.com

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 535893713 US  
Date of Deposit: November 15, 2004

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

PAS/bhp